THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.20562 OF 2006

DATED: 18-04-2007

Between :

Battarsetty Venkata Seshaiah and others .... Petitioners

And

The Government of A.P., rep. by its Secretary,
Irrigation & CAD Department, Secretariat Buildings,
Hyderabad, and others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.20562 OF 2006

ORDER :

The petitioners herein, 93 in number, filed this writ petition aggrieved by the action of the respondents in not considering their applications dated 5-7-1999 made under Section 28-A of the Land Acquisition Act, 1894 (for short, 'the Act') for re-determination of the compensation in terms of the order dated 23-10-1998 in LAOP.No.935 of 1988 and batch on the file of the Court of Senior Civil Judge, Rajampet, Kadapa District.

In the counter-affidavit filed on behalf of the respondents, the fact that the order in LAOP.No.935/1988 and batch, dated 23-10-1998 has become final has not been disputed. However, it is stated that the applications said to have been made by the petitioners under Section 28-A of the Act were not traced in the office of the Land Acquisition Officer.

The learned Counsel for the petitioners has placed before this Court the copies of the applications submitted by the petitioners before the Special Deputy Collector, Land Acquisition Unit No.4, Somasila Project, Rajampet which were received in the office of the Land Acquisition Officer on 5-7-1999 as per the endorsement found thereon. As a matter of fact, after filing this writ petition, the Special Deputy Collector, Land Acquisition, Somasila Project, Unit No.4, Rajampet by letter dated 2-3-2007 informed the learned Counsel for the petitioners that the enquiry has been taken up and required the claimants to appear before the Land Acquisition Officer on 12-3-2007

along with the relevant records to substantiate their case.

Having regard to the facts and circumstances of the case, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the applications of the petitioners dated 5-7-1999 under Section 28-A of the Land Acquisition Act, 1894 for re-determination of the compensation and in case the said applications are found to be in conformity with the statutory provisions and filed within the stipulated limitation period, the respondents shall pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

Writ Petition is accordingly disposed of. No costs.

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G. ROHINI, J.

Dt. 18-04-2007

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